

Form 4

PLANNING PERMIT

Permit No: P04/1497
 Planning Scheme: Mornington Peninsula
 Responsible Authority: Mornington Peninsula Shire

ADDRESS OF THE LAND:

611 – 613 POINT NEPEAN ROAD MCCRAE (Lot 7 LP 11038 Vol 6573 Fol 562
 PC 361036 Vol 10353 Fol 959)

THE PERMIT ALLOWS:

THE DEVELOPMENT OF FIVE DWELLINGS IN ACCORDANCE WITH THE
 ENDORSED PLANS

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Conditions Nos. 1 to 24 inclusive

1. Prior to the commencement of buildings and works the applicant must submit a report prepared by an accredited environmental auditor confirming, to the satisfaction of the Responsible Authority, that the proposed development and construction methods will not prejudice the long term monitoring and management of ground water quality on the site.
2. Prior to the initial occupation of the dwellings, a ground water quality management plan, generally in accordance with the Lane Consulting Environmental Audit Report, 12 August 2003, must be submitted and approved to the satisfaction of the Responsible Authority. The plan must include recommended mechanisms for ongoing ground water monitoring, criteria for the assessment of satisfactory performance and contingency plans that may be implemented by the future land owners to address ground water quality issues that may arise.
3. Prior to the initial occupation of the dwellings, the applicant must enter into an agreement with the Responsible Authority, pursuant to Section 173 of the *Planning and Environment Act 1987*. This agreement must be registered by the applicant pursuant to Section 181 of the *Planning and Environment Act 1987* on the title:

Signature For The Responsible Authority:		Personal Information
Date Issued:	3 September 2004	Ken Griffiths Development Planner

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit.

(Note: This is not a permit granted under Division 5 of Part 4 of the *Planning and Environment Act 1987*.)

WHEN DOES A PERMIT BEGIN?

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4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the *Planning and Environment Act 1987*, or to any combination of use, development or any of those circumstances requires the certification of a plan under the *Subdivision Act 1988*, unless the permit contains a different provision-
 - * the use or development of any stage is to be taken to have started when the plan is certified; and
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5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT APPEALS?

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The agreement must ensure:

- * The ongoing monitoring of ground water quality in accordance with the approved ground water quality management plan referred to in condition 1 of this permit.
- * Ongoing responsibility on the landowners to undertake any remedial actions that may be required in relation to ground water quality management, generally in accordance with the requirements outlined in the approved ground water quality management plan referred to in condition 1 of this permit. The agreement may provide for the termination of monitoring requirements and associated obligations on the landowners subject to the submission of report from an accredited environmental auditor, demonstrating, to the satisfaction of the responsible authority, that monitoring of ground water quality is no longer required.

Note: the costs in preparation and registration of such agreement are to be met by the applicant.

4. The layout of the land, the size and type of the proposed buildings and works, including the materials of construction, on the endorsed plan must not be altered or modified without the consent of the Responsible Authority.
5. All disturbed surfaces on the land resulting from the development must be revegetated and stabilised to the satisfaction of the Responsible Authority.
6. The materials and colour of the exterior finish of the building must be in accordance with the endorsed plans unless with the further permission of the Responsible Authority.
7. All stormwater discharging from the development on the land must be directed (via underground pipe) to the stormwater outfall pit located in Margaret Street to the satisfaction of the responsible authority.

Stormwater drainage works must be designed to provide:

- 7.1 A property inlet connection for each dwelling;
- 7.2 Permanent saltation control measures during construction;

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7.3 A drainage surcharge route within the development to discharge stormwater to the drainage network. The surcharge route must be designed to avoid flood inundation of dwellings.

Drainage engineering plans must be submitted to and approved by the responsible authority prior to the commencement of building and works.

8. Prior to the initial occupation of the dwellings, the eastern leg of Penny Lane must be constructed from Point Nepean Road to a point not less than 2.0m south of the driveway entry for Dwelling 5 fronting Penny Lane. Construction must be to Mornington Peninsula Shire Standard Drawing MP 303 (for commercial vehicles) with a formed laneway width of not less than 3.5m.

Engineering plans must be submitted to and approved by the responsible authority prior to the commencement of roadway works.

9. Driveway crossovers must be provided by reinforced concrete segmental paving vehicle crossings. The access must be surfaced to the satisfaction of the Responsible Authority. It must be completed prior to the initial occupation of the dwellings approved by this permit.

10. Before the use starts, areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must to the satisfaction of the Responsible Authority be:

- Constructed.
- Properly formed to such levels that they can be used in accordance with the plans.
- Surfaced with an all-weather material.
- Drained and maintained.

Parking areas and access lanes must be maintained and kept available for these purposes at all times and drainage must be maintained all to the satisfaction of the Responsible Authority.

Personal Information

Signature For The
Responsible Authority:

Ken Griffiths
Development Planner

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VicRoads Conditions 11 to 13 inclusive

11. *The developer shall be responsible for the upgrading of existing transverse drains on the declared road reserve that may be required as a result of the discharge of any drainage from the proposed development, and shall be constructed with drivable end walls.*
12. *Prior to the commencement of works within the road reservation, a Road Use Permit must be obtained from the VicRoads Office at 12 Lakeside Drive, Burwood East Ph 9881 8058.*
13. *All works undertaken by the developer shall be at no cost to VicRoads.*
14. Vegetation other than on the land shown for the construction of the development as shown on the endorsed plans must not be felled, lopped, topped, ringbarked or otherwise destroyed or removed except with the consent of the Responsible Authority.
15. All telephone and electricity services shall be installed underground to the satisfaction of the Responsible Authority.
16. During construction all materials and builder's facilities including toilet must be stored on site and the site must be maintained in a clean condition to the satisfaction of the Responsible Authority.
17. All waste generated during construction must be stored on site and disposed of at regular intervals to the satisfaction of the Responsible Authority.
18. Prior to the occupation of the dwellings the development must be provided with night lighting along all driveways and footpaths throughout the site such that the full length of travel paths are illuminated. Lighting is to be shielded so that neighbouring residences are not adversely affected
19. Before the use approved by this permit starts, landscaping works as shown on the endorsed plans must be completed and then maintained, to the satisfaction of the Responsible Authority. Any dead or diseased trees or shrubs must be replaced as soon as possible.

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20. All planting must be maintained in a healthy condition to the satisfaction of the Responsible Authority.
21. The selection of paving materials to be used on the land must be to the satisfaction of the Responsible Authority.
22. All fencing on the land must be to the satisfaction of the Responsible Authority.
23. Air-conditioning or other plant equipment must be baffled to prevent nuisance or annoyance to persons in nearby dwellings (or adjoining land).
24. This permit will expire if one of the following applies:
- The development is not started within two years of the date of this permit.
 - The development is not completed within four years of the date of this permit.

The Responsible Authority may extend the above periods if a request is made in writing before the permit expires or within the following three months.

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